

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harrington, Herring, Hightower, Jones, Kothmann, Mauzy, McKinnon, McKnight, Meier, Ogg, Santiesteban, Schwartz, Sherman, Traeger, Wallace and Wolff.

Nays: Clower, Harris, Mengden and Patman.

Absent: Moore.

Absent-excused: Creighton, Longoria and Snelson.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, February 5, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a conference committee on S.C.R. 1 consisting of: Von Dohlen, Chairman; Washington, Hutchison, Menefee and Vale.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:43 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

February 5, 1973

S.C.R. 19
S.C.R. 22

SIXTEENTH DAY (Tuesday, February 6, 1973)

The Senate met at 10:30 o'clock a.m. pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier,

Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senators were absent-excused: Clower, Creighton, Harrington and Ogg.

A quorum was announced present.

Rabbi Judah Fish of Agudas Achim, Austin, Texas, offered the invocation as follows:

Last Sabbath, in Synagogues all over the world these words from the twenty-third chapter of Exodus were read "You must not follow the majority in doing wrong." Traditional Jewish commentators on Scripture have related the principle of majority rule, the very basis of our democracy to these words. The Bible was understood to imply that in proper decisions duly arrived at the majority view prevails.

Heavenly Father, while we know that every person who stands for public office is in need of displaying a degree of political dexterity, we are convinced that no human being, no human society, can continue to function and to flourish without the spiritual gifts which come from you alone. Bless these legislators, the Governor, Lieutenant Governor, and all other officials of our State and Country with insight and foresight, with understanding and compassion, with a sense of justice and honesty in the discharge of their public duties so that those duties are seen as a truly sacred trust.

May the Lord (your) God bless you in all that you undertake.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator McKnight.

Senator Clower was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Ogg was granted leave of absence for today on account of important business on motion of Senator Brooks.

REPORTS OF STANDING COMMITTEES

Senator Wallace submitted the following reports for the Committee on Intergovernmental Relations:

S.B. 50 (Amended)
S.B. 51 (Amended)
S.B. 52 (Amended)

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 112 (Amended)

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Brooks:

S.B. 171, A bill to be entitled An Act relating to the authority of the State Board of Education to create special school districts for the education of certain children residing at institutions or facilities maintained by governmental agencies or nonprofit, nonsectarian organizations; amending Subsection (a), Section 11.28, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Adams:

S.B. 172, A bill to be entitled An Act relating to days designated as legal holidays; amending Article 4591, Revised Civil Statutes of Texas, 1925, as amended; amending Sections 1 and 2, Chapter 230, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 342-910a, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Administration.

By Senator Adams:

S.B. 173, A bill to be entitled An Act relating to the hunting or taking of certain privately owned game birds; and declaring an emergency.

To Committee on Natural Resources.

By Senator Jones:

S.B. 174, A bill to be entitled An Act relating to candidacy for public office; permitting a person to run for an office as the nominee of more than one political party or as both an independent candidate and the nominee of one or more political parties; amending the Texas Election Code as follows: Section 57, as amended (Article 6.01, Vernon's Texas Election Code); Subsection (3) of Section 179a, as amended (Article 13.01a); Section 189a (Article 13.11a); and Paragraphs 1 and 5 of Section 190, as amended (Article 13.12); and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 175, A bill to be entitled An Act relating to the role and scope of Texas State Technical Institute; amending Subsection (b), Section 135.03, Texas Education Code, and adding Subsections (d), (e), (f), and (g); amending Section 135.51, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Traeger:

S.B. 176, A bill to be entitled An Act providing for the revocation of the driver's license and the application of penalties to habitual traffic law violators; and declaring an emergency.

To Committee on Human Resources.

By Senator Wolff:

S.B. 177, A bill to be entitled An Act amending Subsection (3) of Section 10, Chapter 411, Acts of the 61st Legislature, Regular Session, 1969, as amended by Chapter 773, Acts of the 62nd Legislature, Regular Session, 1971 (codified as Subsection (3) of Section 10, Article 4442d, Vernon's Annotated Texas Civil Statutes); relating to the fees for nursing home administrators; and declaring an emergency.

To Committee on Human Resources.

By Senator Wolff:

S.B. 178, A bill to be entitled An Act amending Section 4 of Chapter 413 of the 53rd Legislature, Regular Session, 1953 (codified as Article 4442c of Vernon's Annotated Texas Civil Statutes); providing for the waiver of license fees for the State of Texas and its departments, divisions, boards, and agencies; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Hightower:

S.B. 179, A bill to be entitled An Act prohibiting the giving of evidence in criminal actions or proceedings by any counselor in any elementary or secondary public school of communication made to the counselor by a student which communication tends to incriminate the student; providing that a counselor in any elementary or secondary public school shall not be required to disclose the source and content of certain communications, defining certain words, repealing or modifying all laws in conflict herewith, and declaring an emergency.

To Committee on Jurisprudence.

By Senator Hightower:

S.B. 180, A bill to be entitled An Act relating to the licensure of administrators of child-caring institutions by the State Department of Public Welfare; prohibiting any person from serving as an administrator of a child-caring institution unless he holds a license; providing a penalty; and declaring an emergency.

To Committee on Human Resources.

By Senators Wallace, Meier, Ogg, Braecklein, Schwartz, Santiesteban, Blanchard and Adams:

S.B. 181, A bill to be entitled An Act relating to mandatory coverage for first party medical payments, disability benefits, and accidental death benefits under a policy of automobile liability insurance; amending Subchapter A, Chapter 5, Texas Insurance Code, by adding Article 5.06-3; and declaring an emergency.

To Committee on Economic Development.

By Senators Wallace, Clower, Patman, Moore, Meier, Mauzy, Ogg, Hightower, McKnight, Blanchard and Braecklein.

S.B. 182, A bill to be entitled An Act relating to modifying the insurance coverage requirements of the Texas Motor Vehicle Safety-Responsibility Act; amending Sections 1 and 15, Subsection (c) of Section 5, and Subsection (b) of Section 21, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator McKinnon:

S.B. 183, A bill to be entitled An Act validating proceedings heretofore had by cities in Texas for the issuance of and the levy of a tax for bonds issued to acquire buildings and facilities for an upper-level college; validating such bonds; authorizing such cities to complete the delivery of such bonds to the purchasers thereof and convey such buildings and facilities and the site or sites therefor without consideration to the State of Texas; authorizing the acceptance of such conveyance; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

S.B. 184, A bill to be entitled An Act making unlawful the execution of an oil, gas and mineral lease by certain enumerated persons, agencies and entities unless such lease shall include provisions that no gas produced from the mineral estate subject to such lease shall be sold or contracted for sale for

ultimate use outside of the State of Texas unless and until the Texas Railroad Commission shall find that neither the lessor, certain health-care facilities, public and private schools, State and other public facilities, nor any resident of Texas requires said gas as fuel to meet needs for heat and electricity; enumerating the persons, agencies and entities affected; providing that the Land Commissioner shall not receive or file a lease required to be filed by him unless such lease includes specified terms and conditions; providing that any lease executed or received and filed in violation hereof shall be null and void; further providing for the granting of exceptions to the provisions hereof upon a finding by the Railroad Commission that enforcement of such provisions would cause physical waste or unreasonably deny to the lessee an opportunity economically to produce hydrocarbons from the lands subject to the lease in question; providing for severability; repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

To Committee on Natural Resources.

By Senator Longoria:

S.B. 185, A bill to be entitled An Act relating to temporary permits for certain commercial motor vehicles, trailers, and semitrailers; amending Sections 1 and 2, Chapter 517, Acts of the 58th Legislature, 1963 (Article 6675a-6c, Vernon's Texas Civil Statutes); providing a severability clause; and declaring an emergency.

To Committee on State Affairs.

By Senator Bracklein:

S.B. 186, A bill to be entitled An Act making the unauthorized use of a geological or geophysical map by copying or reproduction an offense; providing penalties; amending Chapter 270, Acts of the 57th Legislature, Regular Session, 1961 (Article 1436f, Vernon's Texas Penal Code), by amending Sections 3 and 4 and by adding Section 2a; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Herring:

S.C.R. 27, Recommending acquisition and development of scenic area adjacent to IH 35 in Austin.

To Committee on Natural Resources.

By Senator Hightower:

S.C.R. 28, Requesting Department of Public Safety to make armed guards available for duty in gallery of each House.

To Committee on Administration.

By Senators Gammage, Wallace, Brooks and Schwartz.

S.C.R. 29, Requesting Attorney General to institute lawsuit to secure all funds appropriated by Congress for water pollution control.

To Committee on Natural Resources.

SENATE RESOLUTION 89

Senator Harris offered the following resolution:

WHEREAS, The Members of the Texas Senate were saddened to learn of the serious illness of Mrs. Robert Oaks, the mother of Steven C. Oaks, Executive Assistant to Lt. Governor William P. Hobby; and

WHEREAS, Mrs. Oaks is confined to the intensive care unit of the Shoal Creek Hospital in Austin, Texas, at this time; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature convey to Mrs. Oaks our sincere hope that she will be restored to good health very soon; and be it further

RESOLVED, That a copy of this Resolution be prepared for her, under the

official seal of the Senate of Texas, as an indication of our concern and our heartfelt wishes for her speedy recovery.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Harris, the resolution was adopted.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, February 6, 1973

Honorable William P. Hobby President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 82, A bill to be entitled An Act relating to the establishment of airport security forces in certain airports and to the commissioning of certain employees of airport security forces as peace officers; amending Article 2.12, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

H.B. 92, A bill to be entitled An Act relating to the operation of public schools on a quarter system, amending Section 16.862 of the Texas Education Code; and declaring an emergency.

H.B. 66, A bill to be entitled An Act relating to the dissolution of the Bailey County Hospital District; adding a Section 21a to Chapter 100, Acts of the 61st Legislature, Regular Session, 1969; and declaring an emergency.

H.B. 120, A bill to be entitled An Act relating to qualifications for jury service; amending Article 2133, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

PRESENTATION TO FORMER SENATOR CRISS COLE

The President recognized as guests in the Senate today Former Senator and Mrs. Criss Cole, and appointed a Committee composed of Senators Brooks, Wallace, Hightower and Aikin to escort Judge and Mrs. Cole to the President's Rostrum.

The President presented Judge and Mrs. Cole a silver tray in recognition of his service as Governor-for-a-Day on January 10, 1970.

Judge Cole addressed the Senate, stating: "It is an honor for Joanne and me to be here today. We feel great pride in the Senate, which in my opinion is one of the greatest legislative bodies in the world, one which is dedicated to preserving the rights of the people. We appreciate the friendship of the Members of the Senate and will always treasure our association with you."

Senator Aikin then expressed appreciation to Judge Cole for his service in the Senate and especially for his fine work on behalf of the Blind

Commission. He stated that Judge Cole had an exceptional record in the Senate, one which few have equaled and none have excelled.

**CONFERENCE COMMITTEE REPORT
ON SENATE CONCURRENT RESOLUTION 1**

Senator Wolff submitted the following Conference Committee Report:

Austin, Texas
February 5, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on S.C.R. 1 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

WOLFF
HARRIS
TRAEGER
McKINNON
On the part of the Senate

VON DOHLEN
HUTCHISON
MENEFEE
WASHINGTON
On the part of the House

S.C.R. 1,
BE IT RESOLVED by the Senate of the State of Texas, the House of Representatives concurring:

Section 1. **CONSTITUTIONAL REVISION COMMISSION.** Pursuant to Article XVII, Section 2, of the Texas Constitution, the Texas Constitutional Revision Commission is created.

Sec. 2. **DEFINITIONS.** In this resolution:

(1) "Commission" means the Texas Constitutional Revision Commission.

(2) "Convention" means the Texas Constitutional Convention of 1974, created by Article XVII, Section 2, of the Texas Constitution.

Sec. 3. **COMPOSITION OF COMMISSION.** (a) The commission shall be composed of 37 members, and it is the legislative intent that the appointment committee give consideration to fair and equitable representation of the sexes, ethnic groups, social groups, economic groups, and geographical regions of the state.

(b) No elected officer who receives compensation by warrant drawn on the state treasury is eligible to serve as a member of the commission. The service of any other public officer or employee as one of the 37 members of the commission shall be considered an additional duty of his regular office or employment, and such officer or employee appointed pursuant to the provisions of this resolution shall be an ex officio commissioner. Such ex officio commissioners shall have all rights, powers, and privileges that are accorded the

other members by this resolution.

(c) The members shall be appointed by an appointment committee composed of the governor, the lieutenant governor, the attorney general, the speaker of the house of representatives, the chief justice of the supreme court, and the presiding judge of the court of criminal appeals. The governor shall be chairman of the appointment committee. The governor shall call meetings of the appointment committee and shall guide it toward completing the appointment process at the earliest possible date.

(d) Except as otherwise provided in this subsection, all meetings and deliberations of the appointment committee shall be open to the public and shall be subject to the public notice requirements of the Open Meetings Law (Article 6252-17, Vernon's Texas Civil Statutes). Once a meeting begins following compliance with these requirements, the committee by majority vote may close the meeting for the purpose of deliberating and considering proposed appointees, but shall reconvene in the place where the meeting began before adjourning. Whenever any deliberation or any portion of a meeting is closed to the public as permitted by this subsection, no final action, decision, or vote with regard to any matter considered in the closed meeting shall be made except in a meeting which is open to the public and in compliance with the requirements prescribed in this subsection.

(e) The appointment shall be formalized by filing with the secretary of state a certificate of appointment identifying all 37 persons appointed to the commission and the appointment committee shall designate one of them chairman and one of them vice-chairman of the commission. The certificate of appointment must be signed by at least four members of the appointment committee.

(f) The secretary of state shall transmit a true copy of the certificate of appointment to the lieutenant governor and to the speaker. On the same day or the next legislative day, the lieutenant governor and the speaker shall each announce in open session the names of those appointed. The secretary of state shall prepare and make available in his office a petition of nonconcurrence. During the period ending with the 10th calendar day following the day the appointments are announced in open session, or if the 10th day is a Saturday, Sunday, or legal holiday, the next following business day of the secretary of state any member of the legislature may personally appear in the office of the secretary of state during regular business hours and sign the petition of nonconcurrence. If, during the prescribed period, fewer than 76 members of the house or fewer than 16 members of the senate sign the petition, the appointments shall be considered in all respects ratified and confirmed. If, during that period, as many as 76 members of the house and 16 members of the senate sign the petition, the appointments shall be considered rejected; the secretary of state shall so notify the governor, and the appointment committee shall submit another certificate of appointment which shall be subject to the same process of legislative review as was the original. The appointment committee may reappoint any one or more or all of those persons named as appointees in any earlier appointment process, and the entire appointment and review process shall be repeated as many times as necessary to achieve confirmation.

(g) The secretary of state shall officially notify each member of his appointment. With the exception of eligible public officers (ex officio members), who shall be qualified for service on the commission by virtue of their office, members shall qualify by taking the oath of office before an officer authorized to administer oaths and by filing the oath with the secretary of state.

Sec. 4. TERM OF OFFICE; VACANCIES. (a) Members of the commission hold office until 60 days after the second Tuesday in January, 1974, which is the day the constitutional convention will be convened.

(b) Any vacancy on the commission caused by death, disability, or resignation shall be filled by certificate of appointment signed by at least four members of the appointment committee and filed with the secretary of state.

Sec. 5. MEETING, CONDUCT OF BUSINESS. (a) The commission shall meet initially in Austin, Travis County, Texas, at the call of the

chairman not later than 14 days after the date the appointment process is completed. The commission shall adopt rules to govern the calling and holding of meetings and the conduct of its business generally; provided, however, that the commission upon organization shall submit a budget and rules governing payment for staff, per diem, travel (including out-of-state travel) and consultants to the appointment committee.

(b) A majority vote of the appointment committee shall be necessary for the approval of such rules and budget. On November 1, 1973, the commission shall be required to submit a budget to the appointment committee for the conduct of its business from November 1, 1973, until the expiration date of said commission, which budget must be approved by a majority of the appointment committee.

Sec. 6. **PER DIEM: EXPENSES.** Each member of the commission is entitled to a per diem of \$50 for each day he spends attending to the business of the commission, including time spent in traveling, as provided by rule of the commission. Each member of the commission is entitled to reimbursement for actual and necessary travel and other expenses incurred while attending to the business of the commission, as provided by rule of the commission.

Sec. 7. **OFFICE SPACE, EQUIPMENT, SUPPLIES, ETC.** The commission may obtain office space, equipment, supplies, printing, and services through the State Board of Control or by contract, including interagency contract.

Sec. 8. **STAFF.** (a) The commission shall employ and fix the compensation of an executive director.

(b) The executive director, to the extent authorized by the commission, shall employ and fix the compensation of staff and consultants within approved budget limits.

Sec. 9. **DUTIES AND FUNCTIONS OF COMMISSION.** (a) As provided by Article XVII, Section 2, of the Texas Constitution, the commission shall study the need for constitutional change and shall report its recommendations to the members of the legislature not later than November 1, 1973.

(b) The commission shall provide for the maximum participation at the grass roots level by scheduling and holding open public hearings in a minimum of six geographical areas of the state. To facilitate these public hearings, the commission is empowered to select citizen committees who shall serve without compensation or expenses in each of the geographical areas to assist in its work. The open public hearings shall be given as much advance publicity as possible as to time and place so that as many citizens as possible may participate.

(c) The commission shall issue publications of its findings and recommendations from time to time, and shall disseminate information through appropriate media to insure public awareness of its work.

(d) The commission shall issue a final report and make copies widely available to the citizens of Texas, including distribution to all public libraries. Copies of the report, which is due to the legislature on November 1, 1973, shall be made available to citizens and public libraries not later than December 31, 1973.

(e) The commission shall provide information, briefings, and other appropriate support to the constitutional convention.

(f) The commission shall submit legal drafts to the convention of all changes or alternative changes it proposes be made in the constitution.

(g) All papers, documents, and work product of the commission shall be public records, and shall be made available to the public for inspection and copying at reasonable times and places.

Sec. 10. **FINANCIAL SUPPORT.** The commission may receive appropriations only from the Texas Legislature for its operations.

Sec. 11. **ASSISTANCE OF STATE AGENCIES.** All departments and agencies of the state, including the Texas Advisory Commission on Intergovernmental Relations and the Texas Legislative Council, shall cooperate with the commission and its staff, and shall make all reports and other materials

available.

Sec. 12. **SEVERABILITY.** If any provision of this resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

The Conference Committee Report was read.

Senator Wolff moved adoption of the Conference Committee Report.

Senator Blanchard raised the Point of Order that the Conference Committee Report could not be considered at this time since no concurrent resolution has been adopted authorizing changes from the House and Senate versions of S.C.R. 1, but that changes had been made in the Conference Committee Report.

The President overruled the Point of Order, stating, "The Chair rules that the provisions adopted by the Conference Committee fall within the scope of the mission of the Conference Committee."

Senator Mauzy then raised the Point of Order that it was necessary under Senate Rules that the Conference Committee Report be presented with parallel columns showing the differences between the House and Senate versions.

The President overruled the Point of Order, stating this was a provision of Joint Rules and the Joint Rules had not been adopted.

Senator Mauzy then raised the Point of Order that Senate Rule 96, Sub-section 2(i) had not been complied with in regard to the Conference Committee Report on S.C.R. 1.

The President sustained the Point of Order.

Senator Wolff then moved to suspend Senate Rule 96, Sub-section 2(i) in order to consider the Conference Committee Report on S.C.R. 1.

The motion prevailed by the following vote: Yeas 24, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Blanchard, Mengden and Moore.

Absent-excused: Clower, Creighton, Harrington and Ogg.

Senator Wolff then moved the adoption of the Conference Committee Report.

The Conference Committee Report was adopted by the following vote: Yeas: 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Moore.

Absent-excused: Clower, Creighton, Harrington and Ogg.

HOUSE BILL 183 ON SECOND READING

Senator Brooks asked unanimous consent to suspend the regular order of business and take up H.B. 183 for consideration at this time.

There was objection.

Senator Brooks then moved to suspend the regular order of business and take up H.B. 183 for consideration at this time.

The motion prevailed by the following vote: Yeas 24, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Blanchard, Mengden and Moore.

Absent-excused: Clower, Creighton, Harrington and Ogg.

The President laid before the Senate on its second reading and passage to third reading:

H.B. 183, A bill to be entitled An Act relating to the Governor's Committee on Human Relations, etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 183 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 183 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Blanchard, Mengden and Moore.

Absent-excused: Clower, Creighton, Harrington and Ogg.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Blanchard, Mengden and Moore.

Absent-excused: Clower, Creighton, Harrington and Ogg.

ANNOUNCEMENT BY PRESIDENT

The President announced that as a Member of the appointment Committee for the Constitutional Revision Commission and in view of the adoption of the Conference Committee Report on S.C.R. 1, he would welcome nominations for membership on the Commission from Members of the Senate and the public.

SENATE BILL 37 LAID ON TABLE SUBJECT TO CALL

On motion of Senator Brooks and by unanimous consent, S.B. 37 was Laid on Table Subject to Call.

SENATE BILL 32 ON SECOND READING

Senator Longoria moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 32 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Mengden.

Absent-excused: Clower, Creighton, Harrington and Ogg.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 32, A bill to be entitled An Act providing for driver's license examinations in the Spanish language for persons unable to take the examination in English; adding Section 10A to Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 32 ON THIRD READING

Senator Longoria moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 3.

Yeas: Aikin, Andujar, Blanchard, Braecklein, Brooks, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Adams, Jones and Mengden.

Absent-excused: Clower, Creighton, Harrington and Ogg.

The President then laid the bill before the Senate on its third reading

and final passage.

The bill was read third time and was passed.

SENATE BILL 49 ON SECOND READING

Senator Sherman moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 49 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Mengden.

Absent-excused: Clower, Creighton, Harrington and Ogg.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 49, A bill to be entitled An Act relating to the membership and election of the board of directors of the Donley County Hospital District; amending Subsection (c) and (d), Section 3, Chapter 699, Acts of the 61st Legislature, Regular Session, 1969; and declaring an emergency.

The bill was read second time.

Senator Sherman offered the following Committee Amendment to the bill.

Amend Senate Bill 49 by:

(1) Adding in Line 19, Section 1, quoted Subsection (c), between the words "persons" and "to" the following:

" , whose present terms expire the first Saturday in April, 1973, "

(2) Adding in Line 20, Section 1, quoted Subsection (c), between the words "Two," and "four" the following:

"the remaining".

The Committee Amendment was read and was adopted.

On motion of Senator Sherman and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 49 ON THIRD READING

Senator Sherman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Mengden.

Absent-excused: Clower, Creighton, Harrington and Ogg.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothman, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Clower, Creighton, Harrington and Ogg.

MEMORIAL RESOLUTIONS

S.R. 80 - By Senator Brooks: Memorial resolution for Boyd Mullen.

S.R. 82 - By Senator Snelson: Memorial resolution for Robert G. Carr.

S.R. 83 - By Senator Snelson: Memorial resolution for Walter C. Hodge.

S.R. 84 - By Senator Snelson: Memorial resolution for Ed M. Whitaker.

S.R. 85 - By Senator Snelson: Memorial resolution for Melvin N. Dow.

S.R. 86 - By Senator Snelson: Memorial resolution for Mrs. W. H. Kugle.

CONGRATULATORY RESOLUTIONS

S.B. 87 - By Senator Aikin: Extending congratulations to Mrs. Kathleen Wright.

S.R. 88 - By Senator Aikin: Extending congratulations to the City of Nash, Texas.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:52 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
George Washington Dupree

Senator Blanchard offered the following resolution:

(Senate Resolution 81)

WHEREAS, With the passing of George Washington Dupree on January 31, 1973, the City of Lubbock and the State of Texas lost an outstanding, stalwart leader in the community; and

WHEREAS, George Dupree was born near Grandview, Texas, Johnson County in 1891, one of six children of Mr. and Mrs. V.F. Dupree. After attending the Clariette School in Erath County, he attended John Tarleton College in Stephenville and was graduated from the University of Texas Law School in 1914. Mr. Dupree was married to Miss Sarah Hunter of Fort Worth, and two sons were born of the marriage: George W. Dupree, Jr., a Texas Tech graduate and officer of the Southwestern Public Service Co., and A. Hunter Dupree, PhD, a graduate of Oberlin and Harvard Universities, and a professor of History at Brown University; and

WHEREAS, Mr. Dupree began the practice of law in Hillsboro and later moved to Lubbock where he was a member of the firm of Crenshaw, Dupree and Milam. At the time of his death, he had been engaged in the active practice of law for almost sixty years; and

WHEREAS, George Dupree was a co-founder and original superintendent of the Sanders Sunday School in 1929 for rural residents of the Lubbock area; he was also a longtime elder and deacon in the Presbyterian Church, a Master Mason for more than fifty years, an active Rotarian for more than forty years, and a Shriner; and

WHEREAS, He served his community, state and nation with loyal dedication for many years as a member of the Lubbock, State and American Bar Associations, Director of the West Texas Water Institute, Chairman of the Lubbock County Bar as a friend of the Texas Tech Law School, Friends of the Texas Tech Library, Chairman of the Southwestern Collection Committee at Texas Tech, member of the Lubbock Salvation Army Board, Lubbock Chamber of Commerce, West Texas Museum Association, and as an officer in the Knife and Fork Club; and

WHEREAS, He worked within his community for the good of Lubbock and all of Texas as a director of Pioneer Natural Gas Co., and the Old Southwestern Development Company and as owner of the Amarillo Gas Company, The Amarillo Oil Company, the Red River Gas Company, Clayton Gas Company, Dalhart Gas Company, and the West Texas Gas Company; and

WHEREAS, Mr. Dupree's work with young people and the disadvantaged citizens of Texas prompted a friend to remark that "he had an 'Abraham Lincoln quality' that enabled him to convert the philosophies of religion, history, science and politics into words the common man could understand and appreciate;" and

WHEREAS, He was known as a great man who inspired deep affection in all those who were privileged to know him and call him friend, and will be missed in his home town and throughout the county; and

WHEREAS, He is survived by his wife, Sarah; two sons, George W. Dupree, Jr. and A. Hunter Dupree; a sister, Mrs. A. C. Coe of Houston; a

brother, V. F. Dupree, Sr. of Taylor; and three grandchildren; and

WHEREAS, The Senate of the State of Texas wishes to pay tribute to this departed citizen and friend; now, therefore, be it

RESOLVED by the Senate of the State of Texas that this Resolution stand in memory of George W. Dupree, distinguished and loyal Texan; and, be it further

RESOLVED, That official copies of this Resolution be prepared for the members of his family as an expression of deepest sympathy.

BLANCHARD
HIGHTOWER

The resolution was read and was adopted.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Blanchard, the resolution was adopted by a rising vote of the Senate.